

**TERRA PARTNERS, TERRA XXI,
LTD, ROBERT WAYNE VEIGEL,
ELLA MARIE WILLIAMS VEIGEL,
VEIGEL FARMS, INC., VEIGEL
CATTLE COMPANY, AND
VEIGEL FARM PARTNERS**

CAUSE NO. 2:15-cv-236-J

AG ACCEPTANCE CORPORATION,

AFFIDAVIT OF BARBARA WHITEN BALLIETTE
IN SUPPORT OF DEFENDANT’S RULE 12(b)(6)
MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM

COUNTY OF TRAVIS

3. Attached as Exhibit B is a true and correct copy of Defendants' Motion for Relief from Judgment filed in Case No. D-1010-CV-2007-00111, *Rabo Agrifinance, Inc. v. Terra XXI, LTD.*, in the Tenth Judicial District, County of Quay, State of New Mexico

4. Attached as Exhibit D is a true and correct copy of the Notice of Filing Report of Special Master filed in Case No. D-1010-CV-2007-00111, *Rabo Agrifinance, Inc. v. Terra XXI, LTD.*, in the Tenth Judicial District, County of Quay, State of New Mexico.

5. Attached as Exhibit E is a true and correct copy of the Emergency Motion to Determine Supersedeas Bond and for Stay of Foreclosure Sale Pending Appeal filed May 18, 2015 in Case No. D-1010-CV-2007-00111, *Rabo Agrifinance, Inc. v. Terra XXI, LTD.*, in the Tenth Judicial District, County of Quay, State of New Mexico.

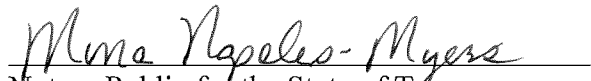
6. Attached as Exhibit F is a true and correct copy of the Order on Defendants' Emergency Motion to Determine Supersedeas Bond and for Stay of Foreclosure Sale Pending Appeal filed June 2, 2015 in Case No. D-1010-CV-2007-00111, *Rabo Agrifinance, Inc. v. Terra XXI, LTD.*, in the Tenth Judicial District, County of Quay, State of New Mexico.

7. Attached as Exhibit G is a true and correct copy of the Notice of Proposed Summary Disposition filed September 8, 2015 in Case No. 34,757, *Rabo Agrifinance, Inc. v. Terra XXI, Ltd., et al.*, in the Court of Appeals of the State of New Mexico.

FURTHER AFFIANT SAYETH NOT.


Barbara Whiten Balliette

SUBSCRIBED AND SWORN TO before me on this 16th day of October, 2015, to which I place my signature and official seal.


Notary Public for the State of Texas

My Commission Expires:

